

Judge Bryan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOSSBERG R22 LR RIFLE,  
Serial Number: NSN  
WINCHESTER 1917 RIFLE,  
Serial Number: 35673,  
MARLIN FIREARMS 1917 RIFLE,  
Serial Number: 14477304, and  
AMMUNITION,

Defendants.

NO. C05-5770RJB

DEFAULT JUDGMENT OF  
FORFEITURE

Plaintiff, United States of America, filed its Verified Complaint for Forfeiture of the defendant Mossberg R22 LR Rifle, Serial Number: NSN; the Winchester 1917 Rifle, Serial Number 35673; the Marlin Firearms 1917 Rifle, Serial Number: 14477304; and Ammunition on December 5, 2005, pursuant to Title 18, United States Code, Section 924(d) for violation of Title 18, United States Code, Section 922(g)(1).

Notice of the forfeiture action was published in the Daily Journal of Commerce on February 8, February 15, and February 22, 2006. All interested persons were advised to file their claims pursuant to Supplemental Rule C(6) of the Federal Rules of Civil Procedure with the Clerk of the Court within thirty (30) days after the date of the

1 publication and to serve their Answers to the Complaint within twenty (20) days after the  
2 filing of a claim.

3 In addition, Plaintiff has served the Complaint, Notice of this action, and Warrant  
4 of Arrest on John McNew and all identified potential claimants to the defendant  
5 Mossberg R22 LR Rifle, Serial Number: NSN; the Winchester 1917 Rifle, Serial Number  
6 35673; the Marlin Firearms 1917 Rifle, Serial Number: 14477304; and Ammunition.

7 On April 19, 2006, on application of the United States, the Clerk of the Court  
8 entered an Order of Default as to the defendant Mossberg R22 LR Rifle, Serial Number:  
9 NSN; the Winchester 1917 Rifle, Serial Number 35673; the Marlin Firearms 1917 Rifle,  
10 Serial Number: 14477304; and Ammunition against John McNew and any unknown  
11 persons who failed to file a claim.

12 More than thirty (30) days have elapsed since all possible claimants were served  
13 with the Complaint for Forfeiture and related documents. In addition, more than thirty  
14 (30) days have elapsed since the date notice of this action was published.

15 No other parties have filed claims and the time allowed for filing of such claims  
16 has expired.

17 Now, therefore, on motion of the Plaintiff, the United States of America, for a  
18 Default Judgment of Forfeiture, it is hereby

19 ORDERED, ADJUDGED and DECREED as follows:

20 1. This Court has jurisdiction over this action under Title 28, United States  
21 Code, Sections 1345, 1355, 1395 and Title 18, United States Code, Section 922 and 924  
22 and venue pursuant to Title 28, United States Code, Section 1395.

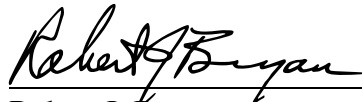
23 2. The defendant Mossberg R22 LR Rifle, Serial Number: NSN; the  
24 Winchester 1917 Rifle, Serial Number 35673; the Marlin Firearms 1917 Rifle, Serial  
25 Number: 14477304; and Ammunition, are hereby forfeited to the United States of  
26 America, and no right, title or interest in the above-described defendant firearms and  
27 ammunition shall exist in any other party.

28 3. The Bureau of Alcohol, Tobacco, Firearms and Explosives shall

1 dispose of the above-described firearms and ammunition in accordance with the law.

2 4. The Clerk of the Court shall deliver twelve (12) raised seal, certified copies  
3 of the Default Judgment of Forfeiture to the United States Attorney's Office in Seattle,  
4 Washington.

5 DATED this 24<sup>th</sup> day of April, 2006.

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7   
8 Robert J. Bryan  
9 United States District Judge

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11  
12 Presented by:

13  
14 /s/ Richard E. Cohen  
15 RICHARD E. COHEN  
16 Assistant United States Attorney  
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